

# MINUTES

## **FREDERICK COUNTY CHARTER BOARD**

*November 8, 2011*

Members Present: K. Coffey, B. Kresslein, T. Browning, J. Hoover, J. Holtzinger, R. Mackintosh, D. Borden, D. Browning, D. French and E. Robbins

Members Absent: F. Anderson, J. Aquilino

### **Opening remarks - Ken Coffey, Chair**

### **Pledge of Allegiance.**

### **Approval of Minutes**

Motion to approve Meeting Minutes from July 7, 2011, August 4, 2011 and September 9, 2011. Bob Kresslein, Dr. Browning 2nd. Approved unanimously.

**Update on Charter Board Petitioners Litigation** – John Mathias, County Attorney; Dan Loftus, Counsel to the Frederick County Board of Elections; and Stuart Harvey, Executive Director of the Frederick County Board of Elections.

The Circuit Court rejected the challenge to the signature requirements utilized by the Board of Elections. Appellants appealed to the Court of Special Appeals. The Board of Elections filed a writ of certiorari to request the Court of Appeals to hear the directly, without waiting for a ruling from the intermediate Court. A motion to dismiss has also been filed on the grounds that the Constitutional time period to hold an election for the charter board has expired.

### **Commencement of Charter Drafting Process – Vic Tervala, Esq.**

Discussion of Charter Background Report prepared by Vic Tervala and distributed to Board Members for use as a guide throughout the drafting process.

Consensus – we will use the Cecil County Charter as our drafting starting point; decisions made at this point in the process are subject to change amid further discussion.

Preamble – D. Borden proposes to remove “dynamic” and substitute “effective.” Other members support the preamble as is. Consensus – leave the language as is as a placeholder, subject further discussion.

Number of councilmembers – After extensive discussion the Consensus is to use 5 councilmembers as a placeholder, since the final number may be dependent upon whether we go with districts, or at-large or a combination of both.

Committees – Consensus: do not allow committees, keep the language used in the Cecil County Charter.

Districts/At-large Council Seats. Discussion included considerations of cost of government, responsiveness, geographic representation, minority group representation, accessibility and cost of people to run for office related to at-large campaigns, legal requirements of voting districts, and pros/cons of drawing the districts before or after charter adoption. Consensus – in favor of at least 5 voting districts but no more than 7 councilmembers. Debra will contact GiS staff regarding assistance with district mapping.

Qualifications of Councilmembers – Consensus – 1 year residency in County and in District; no age minimum; after extensive discussion regarding whether federal and/or state employees should be disqualified Vic agree to draft some proposed language that addresses our concerns and bring it back to us for further discussion.

Drafting concluded at Paragraph 205(c) on page 7 of the Cecil County Charter.

## Public Comment

John Daniels spoke to request that we provide the public with copies of marked up charter document that we are using as a starting point so the public can actively follow the discussion.

## Next Meeting

Tuesday, November 15, at 7 p.m., Winchester Hall

Motion to adjourn was made at 9:10 p.m.

Minutes prepared by Debra Borden.

\*\*L&B 1678946v1/.